

**DAVID K. BERTAN**  
ATTORNEY AT LAW  
41 EAST 11<sup>TH</sup> STREET, 11<sup>TH</sup> FLOOR  
NEW YORK, NEW YORK 10003

(718) 742-1688  
E-MAIL: DBERTAN@YAHOO.COM

**MEMO ENDORSED:** The application is granted. Sentencing is adjourned to **April 26, 2023 at 2:00 p.m.**

SO ORDERED.



---

Paul G. Gardephe  
United States District Judge

Dated: February 21, 2023

**Via ECF**

Hon. Paul G. Gardephe, United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312

Re: USA v. Stuart Finkelstein  
Docket No. 21-Cr-217 (PGG)

Dear Judge Gardephe:

I represent Mr. Finkelstein in the above matter. Sentencing is set for March 2, 2023 at 2 PM. I am respectfully requesting an adjournment of sentencing. As noted in my previous request, Mr. Finkelstein is currently receiving treatment for a number of medical issues. Two weeks ago, he had the first two of several oral surgeries and must now wait for those surgeries to heal before further oral surgeries. In addition, he is currently undergoing steroid treatments for cervical spine, lumbar spine, knee, and shoulder injuries; each of those four injuries will require surgery, which he cannot have until he has completed the oral surgery series referenced above.

In addition, as a result of my own illness, I was out of work from January 14, 2023 until Monday, February 6, 2023, and was unable to work on Mr. Finkelstein's case. Given Mr. Finkelstein's medical issues, and my recent illness, I am respectfully requesting an adjournment of sentencing until late April. The Government has no objection to my request for the adjournment.

Thank you for your consideration in this matter.

Very truly yours,

  
David K. Bertan, Esq.

cc: AUSA Rushmi Bhaskaran (via ECF)